



July 16, 2004

William Taylor
U.S. Department of Energy
P.O. Box 538705
Cincinnati, OH 45253-8705

Dear Bill Taylor,

Chair

James C. Bierer

Vice Chair

Lisa Crawford

Members

M. Kathryn Brown
Sandy Butterfield
Marvin W. Clawson
Lisa Crawford
Stephen P. Depoe
Louis Doll
Pamela Dunn
Gary Storer
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Ex Officio Members

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The Perspectives Group

On May 13, 2004, The Fernald Citizens Advisory Board wrote to you requesting immediate action be taken to work directly with the State of Nevada to resolve the stalemate regarding safe disposal of silos materials from Fernald at the Nevada Test Site. At our meeting on June 29, 2004, DOE officials were unable to offer any specific information regarding the steps that DOE is taking to resolve this issue. Jesse Roberson's response of July 2 also failed to provide any details of DOE's actions. According to this information and what is available to us in the media, we are unable to ascertain whether any action is being taken at all.

This situation leaves the citizens, workers, and other stakeholders at Fernald in a very difficult position. While great progress continues to be made in all aspects of Fernald remediation, the fate of the silos material is becoming increasingly uncertain. The ramifications of leaving silos waste at Fernald are devastating to the long-term safety of the site area residents and the environment. Fernald remediation decisions were crafted as a result of extensive and thoughtful dialogue among all stakeholders, including those at potential disposal sites. This resulted in a balanced decision that kept 80% of waste by volume on site in return for removing the most dangerous materials to more appropriate off-site disposal facilities. To leave the silos waste on site would result in both an unfair and unsafe decision for the residents of southwest Ohio. The close proximity to residents and a sole-source drinking water aquifer make long-term storage or disposal of this material at Fernald untenable. A recent memo from the independent Critical Analysis Team at Fernald suggests that this situation is even more urgent (attached). These experts suggest that any significant delay in the project will severely undermine the ability to get the project done when work resumes due to the complexities of logistical, technical, and administrative procedures.

For over a decade, the Fernald Citizens Advisory Board has driven this extensive and thoughtful dialogue about site decisions at Fernald. We have also served an important role in educating Fernald area residents about important decisions and issues facing the site. Informed dialogue at Fernald has worked so well that we have always been able to reach consensus decisions on even the most controversial issues. This ability has been undermined for the silos issue by the lack of any information on the potential for reaching a constructive solution with Nevada or exploration of any other legitimate alternatives for removing this material from Fernald.

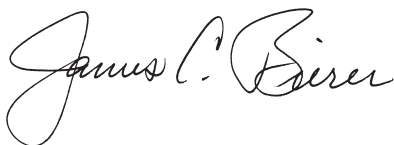
The next FCAB meeting is scheduled for August 3, 2004. By that time, we are asking that DOE please provide us with answers to the following questions:

- What action is DOE taking to resolve the dispute with Nevada?
- If DOE has not had any direct contact with Nevada, why not, and when and in what form will this interaction take place?
- What is DOE's timeline and strategy for resolving this dispute?
- What alternatives are DOE exploring if NTS is not available to accept Fernald waste?
- When will the public be able to see information about options and alternatives to resolving this issue?

Mr. William Taylor
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We look forward to your response and this critical information to allow us to move forward in our work as a community of responsible citizens.

Sincerely,

A handwritten signature in black ink, reading "Jim Bierer". The signature is fluid and cursive, with the first name "Jim" and last name "Bierer" clearly legible.

Jim Bierer
Chair

Enclosure

cc:
Senator Mike DeWine
Senator George Voinovich
Representative John Boehner
Representative Steve Chabot
Representative David Hobson
Representative Rob Portman
Thomas B. Skinner, U.S. EPA
Christopher Jones, Ohio EPA
Acting Assistant Secretary Paul Golan
Robert Warther
Jamie Jameson
NTS Citizens Advisory Board